

Senate File 2381

H-8566

1 Amend Senate File 2381, as passed by the Senate, as
2 follows:

3 1. Page 6, after line 15 by inserting:
4 <Sec. ____ . Section 321.445, subsection 3, Code
5 2009, is amended to read as follows:

6 3. The driver and front seat passengers may be
7 each charged separately for improperly used or nonused
8 equipment under subsection 2. However, the driver
9 shall not be charged for a violation committed by a
10 passenger who is fourteen years of age or older unless
11 the passenger is unable to properly fasten a seat belt
12 due to a temporary or permanent disability. The owner
13 of the motor vehicle may be charged for equipment
14 violations under subsection 1.>

15 2. Page 7, after line 7 by inserting:
16 <Sec. ____ . Section 321.446, subsection 4, Code
17 2009, is amended by striking the subsection and
18 inserting in lieu thereof the following:

19 4. A person who violates this section is guilty
20 of a simple misdemeanor punishable as a scheduled
21 violation under section 805.8A, subsection 14,
22 paragraph "c". Violations shall be charged as follows:

23 a. An operator who transports a passenger under
24 fourteen years of age in violation of subsection 1 or 2
25 may be charged with a violation of this section.

26 b. If a passenger fourteen years of age or older is
27 unable to properly fasten a seatbelt due to a temporary
28 or permanent disability, an operator who transports
29 such a person in violation of subsection 2 may be
30 charged with a violation of this section. Otherwise, a
31 passenger fourteen years of age or older who violates
32 subsection 2 shall be charged in lieu of the operator.

33 c. If a child under fourteen years of age, or a
34 child fourteen years of age or older who is unable
35 to fasten a seatbelt due to a temporary or permanent
36 disability, is being transported in a taxicab in a
37 manner that is not in compliance with subsection 1 or
38 2, the parent, legal guardian, or other responsible
39 adult traveling with the child shall be served with a
40 citation for a violation of this section in lieu of
41 the taxicab operator. Otherwise, if a passenger being
42 transported in the taxicab is fourteen years of age or
43 older, the citation shall be served on the passenger in
44 lieu of the taxicab operator.>

45 3. By renumbering as necessary.

TJEPKES of Webster

ABDUL-SAMAD of Polk
